

## **REMARKS**

### **1. Status of Claims**

Claims 1-19 were pending in the Application. Applicant has amended claims 1, 5, 7, 11, 13 and 15 without prejudice or disclaimer. Applicant submits that no new matter is added. Applicant respectfully requests entry of the above amendments and consideration of the enclosed remarks. Accordingly, claims 1-19 will remain pending in the application.

### **2. Rejections under 35 USC § 102(e)**

Starting on page 2 of the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent No. 6,996,538 B2 to Lucas ("Lucas '538").

Applicant respectfully traverses the rejection and disputes the Examiner's characterizations of the cited reference. For example, the cited reference does not appear to teach or suggest any of: compensation for costs of maintaining an inventory (c1, 45 – C2, 20), an inventory release condition (c4, 36-51) or restocking vendor inventory (C10, 46-52) as suggested by the Examiner on page 2 of the Office Action.

However, solely to expedite prosecution, Applicant has amended independent claims 1 and 19 and the rejection is moot.

Furthermore, with regard to claim 1 (and similarly to claim 11), the cited reference does not teach or suggest at least the following:

A method of establishing and managing a vendor inventory of specific emergency business supplies guaranteed available for [[a]] an identified company, comprising:

receiving compensation for costs of maintaining the inventory guaranteed available for the identified company;

releasing a plurality of the business supplies from the availability guarantee for sale, after the plurality of the business supplies have been in the vendor inventory for a period of time expiring when a release condition occurs ... .

Furthermore, with regard to claims 2-10 and accordingly, 12-19, Applicant disputes the Examiner's characterization of the cited reference.

For example, with regard to claim 3, the Examiner states that "customer chooses" is a release condition, yet that passage deals with adding inventory (C10, 46-52).

Furthermore, with regard to claim 4, the cited reference does not teach or suggest releasing inventory at all. (C7, 52-65).

Additionally, with regard to claim 5, the cited reference does not teach or suggest releasing inventory at all. (C4, 36-51).

Additionally, with regard to claim 7, the cited reference describes dispensing the item and not holding it at all. (C3, 3 – C4, 5).

Furthermore, with regard to claim 9, the cited reference does not teach or suggest anything more than offering discounts to customers. C19, 37-47).

Accordingly, Applicants respectfully submit that claims 1-19 are patentable over the cited reference and in condition for allowance.

### **3. Conclusion Of Remarks**

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

### **4. Authorization**

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or

credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-764.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-764.

Respectfully submitted,

/George M. Macdonald/

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